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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

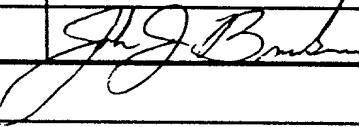
Application Number	09/079,502
Filing Date	5/14/98
First Named Inventor	Alfred S. Despres, III
Group Art Unit	3738
Examiner Name	not assigned
Total Number of Pages in This Submission	Attorney Docket Number
	13928-707

JAG903 U.S. PTO
09/09/01
09/09/01
07/09/01

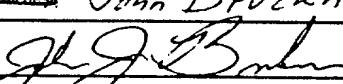
ENCLOSURES

<input checked="" type="checkbox"/> Fee Transmittal Form	X (4)	Assignment Papers (for an Application) 1 assignment from Germany
<input checked="" type="checkbox"/> Authorization to Charge Deposit Account Attached		Drawing(s)
<input type="checkbox"/> Amendment/Response		<i>[Signature]</i> Revocation and Power of Attorney by Assignee
<input type="checkbox"/> After Final		Petition Routing Slip (PTO/SB/69) and Accompanying Petition
<input type="checkbox"/> Affidavits/declarations		To Convert a Provisional Application
<input type="checkbox"/> Extension of Time Request	2	Declaration of Inventor(s) 2 declarations (one from Germany)
<input type="checkbox"/> Express Abandonment Request		Terminal Disclaimer
<input type="checkbox"/> Information Disclosure Statement	X	Small Entity Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)		Request for Corrected Filing Receipt
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		After Allowance Communication to Group
		Appeal Communication to Board of Appeals and Interferences
		Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>)
		Proprietary Information
		Status Letter
		Additional Enclosure(s) (please identify below):
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	WILSON SONSINI GOODRICH & ROSATI (John Bruckner)		
Signature		Date	Dec. 1, '98

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail to: Assistant Commissioner for Patents, Washington, D.C. 20231, on	Date	Dec. 1, '98
Typed or printed name	Ellen Garchea <i>John Bruckner</i>	
Signature		Date Dec. 1, '98

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL

Note: Effective October 1, 1997.
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1661)

Complete if Known

Application Number	09/079,502
Filing Date	5/14/98
First Named Inventor	Alfred S. Despres, III
Group Art Unit	3738
Examiner Name	not assigned
Attorney Docket Number	13928-707

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 23-2415 (13928-707)

Deposit Account Name Wilson Sonsini Goodrich & Rosati

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. Payment Enclosed:

Check Money Order Other

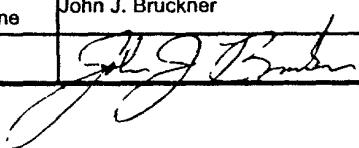
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	755
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to Institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	160
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					
* Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 340)	226

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name	John J. Bruckner	Reg. Number	35,816
Signature		Date	10/1/98

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

07-10-91 A



A

JC903 U.S. PRO
09/901310
07/09/01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
CONTINUATION PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Alfred S. Despres III et al.
Serial No.: 09/079,502
Filing Date: 05/14/98
Title: IMPLANT WITH COMPOSITE COATING
Group Art Unit: 3738
Examiner: S. Jackson
Attorney's Docket No.: 13928 (HAYES079502)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION

This is a request for filing a continuation application, in accordance with Rule 1.53(B), of pending prior application Serial No. 09/079,502 filed 05/14/98 by Alfred S. Despres III, Eugene J. Elwood, Robert R. Aharonov, Peter Ehlers, and Knut Andersen for IMPLANT WITH COMPOSITE COATING.

Submitted with this request are the following:

1. A true copy of said pending prior application Serial No. 09/079,502 (including specification, claims and drawings) as originally filed;

2. A copy of (i) a NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED, (ii) a RESPONSE TO MISSING PARTS, (iii) two DECLARATION AND POWER OF ATTORNEY documents listing the names of the inventors and signed by the inventors Alfred S. Despres III, Eugene J. Elwood, Robert J. Aharonov, Peter Ehlers, and Knut Andersen, specifically identifying the parent of this application by serial number and filing date, (iv) a VERIFIED STATEMENT CLAIMING SMALL ENTITY BUSINESS STATUS, and (v) four ASSIGNMENT AND REQUEST FOR RECORDATION documents of same.

HAYES-707 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
CONTINUATION PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Alfred S. Despres III et al.
Serial No.: 09/079,502
Filing Date: 05/14/98
Title: IMPLANT WITH COMPOSITE COATING
Group Art Unit: 3738
Examiner: S. Jackson
Attorney's Docket No.: 13928 (HAYES079502)

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) continuation application is being filed under the provisions of 37 CFR 1.10.

Respectfully submitted,

Mark Pandisco 7/9/01

Mark J. Pandisco
Registration No. 30,883
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02154
Tel. (781) 290-0060

"Express Mail Mailing Label Number EF221796744US
Date of Deposit JULY 9, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Mark Pandisco 7/9/01
Mark J. Pandisco

3. An AFFIDAVIT by the undersigned attorney of record verifying that the enclosed copy of said prior application Serial No. 09/079,502 is a complete and true copy; and

4. A PRELIMINARY AMENDMENT which amends the application to show that it is a continuation of parent application Serial No. 09/079,502 and

5. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on July 9, 2001 as provided for under 37 CFR 1.10.

The Power of Attorney in the prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02154-1914 (Telephone No. 781-290-0060).

The inventors named in this continuation application are the same inventors named in the prior application Serial No. 09/079,502.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

A duplicate copy of this letter is enclosed for filing in said prior copending application.

Assistant Commissioner For Patents
Washington, D.C. 20231

Case Docket No.: HAYES-707 CON

JC903 U.S.PTO
09/901310
07/09/01



Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Alfred S. Despres III et al.
For: IMPLANT WITH COMPOSITE COATING

Enclosed are:

9 sheets of drawings.
 An assignment of the invention to: Hayes Medical, Inc.
 A verified statement to establish small entity status.
 REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION.

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
Basic Fee				\$355.00		\$710.00
Total Claims	75 - 20	55	x \$ 9.00	495.00	x \$18.00	
Ind. Claims	4 - 3	1	x \$40.00	40.00	x \$80.00	
Mult. Claims			+ \$130.00		+ \$260.00	
			Total \$890.00			

Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.

A check in the amount of \$890.00 to cover the filing fee (and assignment recording fee) is enclosed.

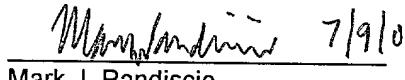
The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- Any additional filing fees required under 37 CFR 1.16.
- Any patent application processing fees under 37 CFR 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- Any patent application processing fees under 37 CFR 1.17.
- The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,


 7/9/01
 Mark J. Pandiscio
 Pandiscio & Pandiscio
 470 Totten Pond Road
 Waltham, Massachusetts 02154
 Tel. (781) 290-0060